



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shunpei Yamazaki et al. Art Unit : 2823
Serial No. : 10/024,850 Examiner : William D Coleman
Filed : December 18, 2001 Confirmation No.: 8129
Title : SEMICONDUCTOR DEVICE AND METHOD OF MANUFACTURING THE
SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF JULY 8, 2003

In reply to the Office Action of July 8, 2003, Applicant submits the following remarks.

Claims 1-18 are pending, with claims 1, 4, 7, 10, 13 and 16 being independent.

Claims 1-18 have been rejected as being anticipated by Yamazaki. Applicant requests reconsideration and withdrawal of this rejection because Yamazaki does not describe a semiconductor layer that includes crystals arranged in a direction substantially parallel with a length direction of a channel formation region, as recited in independent claims 1, 4 and 13, or in a direction substantially parallel with a carrier flow direction between source and drain regions, as recited in independent claims 7, 10 and 16. Contrary to the Examiner's assertion, Yamazaki nowhere describes a relationship between the arrangement of crystals and the channel length direction or the carrier flow direction.

Claims 1-18 also have been rejected for double patenting over claims 1, 5, 6, 11 and 15 of U.S. Patent 6,395,933. In making the rejection, the examiner states that the issue of priority under 102(g) and possibly 102(f) must be resolved. Applicant requests reconsideration and withdrawal of this rejection because the present application has the same inventors as, and claims priority from, the application that resulted in the '933 patent. Accordingly, since the present application and the '933 patent have the same inventors, there can be no issue of priority under 102(g) or 102(f).

Applicant submits that all claims are in condition for allowance.

RECEIVED
OCT 10 2003
TECHNICAL CENTER 2800

Applicant : Shunpei Yamazaki et al.
Serial No. : 10/024,850
Filed : December 18, 2001
Page : 2 of 2

Attorney's Docket No.: 07977-188002 / US
3427/3434D1

No fees are believed due. Please apply any charges or credits to deposit
account 06-1050.

Respectfully submitted,

Date: October 8, 2003


John F. Hayden
Reg. No. 37,640

Customer No. 26171
Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331

40179748.doc